

GOVERNMENT OF ANADHRA PRADESH

ABSTRACT

Social Welfare – Nalgonda District, Subbareddigudem H/o Alagadapa (V) Miryalguda (M) – Land Acquired to an extent of Ac. 6.44 Cents for providing house sites to the weaker section's people – Sanction of Rs.4,16,778/- to deposit in the Court towards payment of balance decretal charges, as per interim directions of Hon'ble High Court in W.P.MP.No.11415/2009 in W.P.No 8718/09 in O.P.No 24/92 .- Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O.Rt.No 877

Dated: 23 -12-2009

Read the following:-

- 1)Letter from the District Collector, Nalgonda, Lr. No.G /469/2000, dt. 5/10/2009
- 2)From the CSW., AP., Hyderabad Lr. Rc.No.LA2/ 3329/2009, dated: 20/10/2009. and 16/11/2009.
- 3) Govt. Memo.No.11855/LA.2/2009-1, dt. 3/12/2009.
- 4)From the CCLA., AP., Hyd., Lr. No. G1/1728/2009, dated: 3/12/2009.

-X-X-

ORDER:

In the reference 4th read above, the Chief Commissioner of Land Administration, AP., Hyderabad has stated that the land to an extent of Ac. 6.44 Cents bearing Sy.No. 795 of Subbareddigudem H/o Alagadapa (V) of Miryalguda (M), Nalgonda District was acquired for providing house sites to weaker section's people, duly fixing the market value of the acquired land at Rs. 9,500/- per acre. The Land owner were not satisfied with the awarded amount, received it under protest by filing ex.B-2 to B-6 protest applications, stating, at the time of draft notification the prevailing market price was Rs.4,000/- to Rs. 5,000/- per guntas and sought to refer the award to the Civil Court for adjudication of the correct market value. Thus, referred the case to the Court of Sr. Civil Judge, Miryalaguda U/S 18 of the LA. Act.

2. The Court of Sr. Civil Judge, Miryalaguda vide its award dt. 31/1/2000 in O.P.No. 24/92 has enhanced the compensation from Rs. 9,500/- to Rs. 46,706/- per acre. The claimants are entitled for 30% solatium and 12% Additional Market Value from the date of Notification to the date of possession, or to the date of Award, whichever is earlier. The Claimants are also entitled for interest @ 9% per acre from the date of possession for one year and there after @ 15% per annum till the entire amount is paid. The claimants are not entitled to interest over 30% Solatium, and 12% Additional Market Value. All these amounts shall be paid duly deducting the payments that have already been made to the Claimants. Against the award dt. 31/1/2000, the LAO/MRO, Miryalaguda has filed A.S.No. 2134/2000 before the Hon'ble High Court. The Hon'ble High Court while confirming the award, dismissed the appeal. One of the land owner Smt. Byreddy Alivelamma, W/o.Keshawa Reddy had filed W.P.No. 8718/2009 to determine and pay the compensation in respect of her land acquired pending W.P.No. 8718/2009. The Hon'ble High Court has passed the interim directions in W.P.MP.No.11415/2009 in W.P.No. 8718/2009 dt. 27/4/2009 that "Interim direction as prayed for" Subsequently, contempt case No. 1167/09 was filed for non implementation of the interim orders of the High Court. The claimant has also filed E.P.No. 51/09 in O.P.No. 24/92 for realization of decretal amount.

3. The District Collector, Nalgonda has submitted a proposal along with a calculation sheet for sanction of Rs.4,85,139/- towards balance decretal charges in O.P. NO.24/1992. After scrutiny of the proposal of the District Collector, Nalgonda, the CCLA., AP., Hyderabad has prepared a comparative calculation sheet and requested the Government for sanction of Rs.4,16,778/- only towards balance decretal charges as calculated by his office.

4. After careful examination of the matter, the Government hereby accord sanction to the Commissioner of Social Welfare, AP., Hyderabad to release an amount of Rs. 4,16,778 /- (Rupees four lakhs sixteen thousand and seven hundred

and seventy eight only) to the District Collector, Nalgonda towards payment of the balance decretal charges, as per interim directions of Hon'ble High Court in W.P.MP.No. 11415/2009 in W.P.No. 8718/09 in O.P.No. 24/92 in respect of the land acquired to an extent of Ac. 6.44 Cents of Subbareddigudem H/o Alagadapa (V) of Miryalguda (M), Nalgonda District, for providing house sites to the weaker section's people.

5. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2009-10 and debited to the following Head of Account: **"2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-aid"** .

6. The Commissioner of Social Welfare, A.P., Hyderabad, is requested to issue necessary proceedings to the District Collector, Nalgonda to comply with the Court orders.

7. The District Collector, Nalgonda, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued by them vide U.O.Note No.12869/196/A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad
The Chief Commissioner of Land Administration, AP, Hyderabad.
The District Collector, Nalgonda District..

Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad.
The Dist. Treasury Officer, Nalgonda District.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED : : BY ORDER//

SECTION OFFICER